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REVISION HISTORY: (Adopted 09-01-94) R11/03-28-2014	

1.6.1 USE OF FORCE

When a situation exists, wherein an officer determines there is a reasonable belief of the need to use force upon another person, all such uses of force will comply with the provisions of North Carolina General Statute 15A-401(d). This Statute allows that officers are justified in using force upon another person:

- When the officer reasonably believes the force is necessary.
- And to the extent the officer reasonably believes the force is necessary.

Officers may use this reasonable force to:

- Prevent the escape, or effect the arrest of, a person whom the officer reasonably believes has committed a criminal offense. This provision does not apply to any arrest which the officer knows to be unauthorized.
- Defend himself, or other person, from what the officer reasonably believes is the use, or imminent use of, physical force. This provision applies to situations where an officer is effecting or attempting to effect an arrest, or while the officer is preventing or attempting to prevent an escape.

Officers will rely on the standards as set forth in **N.C.G.S. 15A-401(d)(2)** to determine if the use of deadly force is appropriate. **N.C.G.S. 15A-401(d)(2)(a and b)** allows that officers are justified in using deadly force upon another person when the officer reasonably believes deadly force is necessary:

- To defend the officer, or another person, from what the officer reasonably believes to be the use or imminent use of deadly physical force.
- To effect the arrest, or prevent the escape from custody of, a person whom the officer reasonably believes is attempting to escape by means of a deadly weapon.
- To effect the arrest, or prevent the escape from custody of, a person whom the officer reasonably believes presents an imminent threat of death or serious physical injury to others unless apprehended without delay.

N.C.G.S 15A-401(d)(2)(c) speaks to the use of deadly force by an officer to “prevent the escape of a person from custody imposed upon him as a result of conviction for a felony”. This provision is written primarily for prison and jail staffs and **will not** be considered by Greensboro Police Department Officers when determining if the use of deadly force is appropriate.

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1.6.2 SUBJECT CONTROL OPTIONS

The subject control options and definitions listed below are intended as a guide. An officer's decision to utilize any force in a situation is a response to the behavior of the subject(s) involved, and other relevant factors known to the officer. The subject control options do not necessarily follow a preset order of escalation. An officer must continually assess the totality of the circumstances and escalate, de-escalate, or completely cease any force utilized appropriately.

- **Presence:** a form of psychological force established through the officer's appearance and demeanor at a scene.
- **Verbal Direction/Control:** the verbiage utilized by an officer to control or de-escalate a situation.
- **Physical Control:** the use of bodily contact, to include; touching, assisting, grabbing, joint manipulations, kicking or striking. Physical control includes "soft" and "hard" hand options. "Soft" hand techniques are those with a low probability of injury, such as joint locks and pressure points. "Hard" hand techniques are those with a higher risk of injury to include, punches, kicks or stuns.
NOTE: Stunning techniques to the neck (brachial plexus origin) are appropriate in cases of an aggressive assault and/or high level of resistance of such a manner the assault/resistance approaches a situation in which deadly force would be appropriate.
- **Aerosol/Chemical Agents:** the use of Oleoresin Capsicum or other chemical agents to control resistance and/or end flight.
- **Electronic Control Device:** a device which deploys electric current into a subject's body to affect the central nervous system.
- **Intermediate Weapons:** impact weapons utilized in a manner consistent with current departmental training, in order to reduce the probability of serious bodily injury. This includes the ASP, baton, flashlight, police bicycle and specialized impact munitions.
- **Precision Immobilization Technique (PIT):** a maneuver which may be utilized by properly trained officers which involves the controlled striking of a violator vehicle with a police vehicle. The PIT is considered a less lethal use of force when performed as described by the training guidelines of the Greensboro Police Department. If exigent circumstances warrant the striking of a violator vehicle outside the established training guidelines, this action may be considered as a use of deadly force.
- **Police Canine:** canine handlers will utilize their assigned police service dogs in a manner consistent with departmental training and guidelines. If the police canine is deployed, and the canine bites a suspect, this will be considered a less lethal use of force. The mere release of police canine is not considered a use of force.
- **Deadly Force:** an action likely to cause death or serious bodily injury, including the use of lethal weapons.

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The following situations are examples of reportable uses of force:

- The striking of any person
- The use of OC spray on a person
- The use of chemical agents
- The use of any other less lethal weapon (ECD, less lethal munitions, etc.)
- The application of physical restraint resulting in injury
- The use of the Precision Immobilization Technique
- Police canine bite
- Deadly Force

Mere physical restraint is defined as physically overpowering without striking or using weapons. Scuffling, holding, tackling, or the application of assisted come-alongs, etc., may or may not be mere restraint, depending on the circumstances. Whenever doubt exists as to whether the level of restraint/control used constitutes a reportable use of force, an immediate supervisor will be notified of the incident and the supervisor will make the determination.

An officer shall not deliberately strike another person with any impact weapon, whether an issued weapon or an environmental weapon, on the head, in the groin, solar plexus, throat, kidneys or on the spinal column unless the officer reasonably believes a situation exists in which deadly force would be appropriate to protect himself, or a third party.

Whenever an employee uses force against another person, immediate notification of the employee's supervisor is required. It is the responsibility of the supervisor to make a thorough investigation of the incident and to forward a report as required. The use of force report will be forwarded through the employee's chain of command. Each member responsible for reviewing the report will review the report to ensure the investigation is complete and any findings are consistent with Departmental procedure and applicable State Statutes. Any member charged with reviewing a use of force report may remit the report back to the originating supervisor for further action as deemed necessary.

A documented annual analysis of the Department's uses of force will be conducted on a calendar year basis by the Professional Standards Division. This report will analyze the previous year's force usage for trends, training issues, equipment needs or policy revisions.

The supervisor will enter the information regarding each use of force into the 24 Hour Summary on GPDNET prior to ending their tour of duty.

The Internal Affairs Section will assign a classification to each use of force investigation when it is received. This classification will assist in computer data maintenance and statistical analysis.

- Physical Control
- Chemical Agents

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- Electronic Control Device (ECD)
- Impact Weapons, Striking
- Canine
- Deadly Force

1.6.3 SUBJECT RESISTENCE LEVELS

A subject may exhibit various types of resistance levels during the arrest process. The type and level of resistance will be considered by the officer making the arrest as to the appropriate use of force that is required as well as the appropriate escalation or de-escalation of force being applied.

- **Passive Resistance** – Non-compliance with the officer’s verbal commands, but no overt or physical acts to prevent the officer from making the arrest.
- **Active Resistance** – The suspect is taking some type of physical action to prevent his arrest, but is not assaulting or attempting to assault the officer.
- **Assaultive Resistance** – The suspect is taking some type of physical action that is likely to cause injury to the officer.
- **Aggravated Assaultive Resistance** – The suspect is taking some type of physical action that is likely to cause serious injury or death

1.6.4 USE OF DEADLY FORCE

An officer may use his firearm, or other deadly force, upon another person when the officer reasonably believes the deadly force is necessary:

- To defend the officer, or another person, from what the officer reasonably believes to be the use or imminent use of deadly physical force.
- To effect the arrest, or prevent the escape from custody of, a person who the officer reasonably believes is attempting to escape by means of a deadly weapon.
- To effect the arrest, or prevent the escape from custody of, a person who the officer reasonably believes presents an imminent threat of death or serious physical injury to others unless apprehended without delay.

Deadly force is that force which, if used, is likely to inflict serious bodily injury or death.

Serious bodily injury is that which creates a substantial risk of death. It may cause serious permanent disfigurement or result in long-term loss of the function of a bodily member or organ.

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Reasonable belief is that set of facts or circumstances that would cause a reasonable person in the officer's position to believe it was actually or apparently necessary to use the force which was actually used.

In the event an officer is involved in a use of deadly force incident, he will be reassigned and evaluated in a manner consistent with the provisions of Departmental Directive 8.2.

1.6.5 IMPROPER USE OF FIREARMS OR OTHER DEADLY FORCE

Officers will be subject to disciplinary action if the use of a firearm or other deadly force involves:

- A violation of the law by the officer
- A violation of Departmental rules
- Disregard for public safety
- Misconduct on the officer's part
- Accidental discharge through carelessness or recklessness
- Firing of "warning shots"
- Other poor judgment involving the use of a firearm or other deadly force

1.6.6 MEDICAL ASSESSMENT

Whenever an officer uses force on an individual in custody, the officer will ensure the individual receives appropriate medical treatment as outlined in Departmental Directive 11.1.5. If an individual is affected by a use of police force, and is not in-custody, officers will make reasonable efforts to ensure any associated medical issues are addressed.